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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of James S. W. Lee, et al.

Attorney Docket No.: 200801-9014

Application No. 10/692,627

Filed: 10/24/2003

Art Unit: 3712

Confirmation No.: 8612

Examiner: Faye Francis

“TOY FIGURE WITH ARTICULATING JOINTS”

I, Elizabeth M. Campbell Tressler, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Elizabeth M. Campbell Tressler
Signature

9/10/04
Date of Signature

RESPONSE TO OFFICE ACTION OF MAY 14, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REMARKS

In the Office Action dated May 14, 2004, the Examiner has indicated that claims 9-10 and 14-15 are allowed and that claims 1-4, 6-8, 11-13 and 16-19 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112. Similarly, claim 5 has been rejected under 35 U.S.C. 112 and claims 20-21 have been objected to because they depend from claims that have been rejected under 35 U.S.C. 112. For the reasons set forth below, applicants respectfully submit that all of the rejected claims are fully supported by the written disclosure and drawings.

Claims 1-21 have also been rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 75-80 of copending Application No.